

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1716 – SB 1759

April 13, 2018

SUMMARY OF ORIGINAL BILL: Deletes the antiquated requirement that the Department of Human Services (DHS) promulgate rules no later than January 1, 2007, regarding child passenger restraint systems for children transported by child care agencies.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (017237): Deletes all language after the enacting clause. Prohibits the operator or a passenger of a motor vehicle from smoking cigarettes, pipes or cigars in a motor vehicle when a child who is 14 years of age or less is also present in the vehicle, regardless of whether the windows of the motor vehicle are down.

Establishes that (1) a first violation of this section is punishable only by the issuance of a warning citation; (2) a second violation is a Class C misdemeanor, punishable only by a fine not to exceed \$20 and court costs not to exceed \$10 including, but not limited to, any statutory fees of officers; and (3) a third or subsequent offense is a Class C misdemeanor punishable only by a fine of \$50 and court costs not to exceed \$10, including, but not limited to, any statutory fees of officers.

Requires that a traffic citation based solely on a violation of this section be considered a nonmoving traffic violation and no points will be added to a driver record.

Requires the Department of Transportation (TDOT) to utilize the department's permanent electronic overhead informational displays located throughout the state to provide periodic messages to the motoring public as to the provisions of this section.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

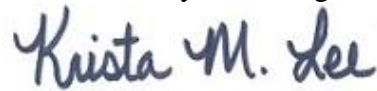
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Assumptions for the bill as amended:

- No fiscal impact on the operations of the Department of Transportation.
- Based on information provided by the Administrative Office of the Courts, any increase in the caseloads of the court system would be absorbed within the existing judicial resources.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/vlh